

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Albert Russo
CN 4853
Trenton, NJ 08650
(609) 587-6888
Standing Chapter 13 Trustee

In re:

Leslie A Eberhardt

Debtor(s)

Case No. 20-14162 / MBK

Hearing Date: July 22, 2020 10:00 am

Judge: Michael B. Kaplan

Chapter: 13

TRUSTEE'S OBJECTION TO DEBTOR(S) CHAPTER 13 PLAN

Albert Russo, Standing Chapter 13 Trustee, objects to the Debtor(s) Plan for the following reason(s):

The debtor has failed to supply the Trustee with the following document(s):

A copy of the last filed tax return - 2019 by 8/30/2020.

Need January and February bank statements for Ally account #5380. Need a statement for the whole life insurance policy.

The debtor(s) is not paying all disposable income into the plan pursuant to either Schedules I & J or Form 22C based upon the Trustee's review of the income and tax returns provided. The Trustee's calculations are higher for the following reason(s): Verified income leaves monthly disposable income of \$1,272.85.

The Plan provides for payment on unsecured claims of less than that which would be distributed upon liquidation under Chapter 7, as prohibited by 11 U.S.C. § 1325(a)(4): There is \$48,216.94 in non exempt equity in the residence.

There is \$622 in non exempt equity in her bank accounts.

Need to file Pre-confirmation Certification.

The attorneys fees in the plan and disclosure statement do not agree. The plan states attorney's fees of \$3,140 will be paid through the plan. The disclosure statements states that \$3,140 will not be paid through the plan. One of these must be amended.

WHEREFORE, Standing Chapter 13 Trustee, Albert Russo, objects to confirmation of the plan.

/s/ Albert Russo

Albert Russo

Standing Chapter 13 Trustee

by: Erik Collazo, Staff Attorney